

IN RE: PETITION FOR VARIANCE
N/S 1st Street, 110' E of
Cuckold Point Road
(2805 1st Street)
15th Election District
5th Councilmanic District

Kenneth Wozniak, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-256-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 2805 1st Street, located in the vicinity of Bay Drive on Cuckold Point. The Petition was filed by the owners of the property, Kenneth and Donna Wozniak, and the Contract Purchasers, Richard and Shirley Kowalewski. The Petitioners seek relief from Sections 1B02.3.C.1 and 304.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet and to approve the subject property as an undersized lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Steve Kowalewski, Contract Purchaser, and Ryan Adams, Builder. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 6,900 sq.ft., more or less, zoned D.R. 5.5 and is presently unimproved. Although not directly on the water, the property is located on the peninsula known as Swan Point at the convergence of Back River and the Chesapeake Bay. As is the case with many older waterfront communities, Swan Point was laid out many years ago with 50-foot wide lots. The subject

ORIGINAL FILED FOR FILING

Date

By

MICROFILMED

property is 50 feet wide and 138 feet deep. Mr. & Mrs. Kowalewski are under contract to purchase the subject property from Mr. & Mrs. Wozniak, who reside on the adjacent lot, which is also 50 feet wide and 138 feet deep. The Petitioners propose to develop the property with a 30' x 30', two-story colonial dwelling, which will be constructed by Mr. Adams. However, due to the narrow width of the lot and the existence of improvements on the immediately adjoining properties on either side, the requested variance relief is necessary in order to proceed as proposed.

Based on the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioners have satisfied the requirements of Section 307 of the B.C.Z.R. I am persuaded that practical difficulty does exist and that relief can be granted without a detrimental impact on the surrounding locale.

Technically, a variance from Section 304.2 of the B.C.Z.R. is not necessary. As has often been stated in opinions by this Zoning Commissioner, that Section allows an undersized lot owner to build on such a lot by right, assuming that certain conditions can be met. Those conditions cannot be met in this case; e.g., the Wozniak's own the adjacent property and those requirements cannot be variances. Nevertheless, approval of the variance can be granted from Section 1B02.3.C.1 to allow the Contract Purchasers of this lot to proceed with their plans.


I shall also require as a condition precedent to approval, the Petitioners' compliance with any terms and conditions set forth by the Department of Environmental Protection and Resource Management (DEPRM) and the Office of Planning (OP). Mr. Adams indicated that DEPRM has approved their plans, conditioned upon the Petitioners' compliance with Chesapeake Bay Critical Areas legislation. The Office of Planning has also reviewed

and approved schematic drawings of the proposed dwelling to insure compatibility with the surrounding community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of January, 1997 that the Petition for Variance seeking relief from Section 1B02.3.C.1 (and 304.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet and to approve the subject property as an undersized lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated December 30, 1996, a copy of which is attached hereto.
- 3) Prior to the issuance of any permits, Petitioners shall submit schematic drawings of the proposed dwelling to the Office of Planning for review and approval to insure compatibility with the surrounding community.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 1/17/97

By [Signature]

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

December 30, 1996

FROM: R. Bruce Seeley *RBS/gp*
DEPRM

SUBJECT: Zoning Item #256 - Swan Point
2805 First Street
Zoning Advisory Committee Meeting of December 23, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:KK:sp

SWANPOIN/DEPRM/TXTSBP

COPIES RECEIVED FOR FILING

DATE

BY

1-10



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 17, 1997

Mr. & Mrs. Kenneth Wozniak
2807 1st Street
Baltimore, Maryland 21219

RE: PETITION FOR VARIANCE
N/S 1st Street, 110' E of Cuckhold Point Road
(2805 1st Street)
15th Election District - 5th Councilmanic District
Kenneth Wozniak, et ux - Petitioners
Case No. 97-256-A

Dear Mr. & Mrs. Wozniak:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Shirley Kowalewski
430 Elrino Street, Baltimore, Md. 21224

Mr. Ryan Adams
9129 Cuckold Point Road, Baltimore, Md. 21219

DEPRM; OPZ
People's Counsel; Case File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2805 1ST. ST

which is presently zoned DRS.5.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SEC. 1B02.3.C.1 & 304.2

To allow a lot width of 50' in lieu of the minimum required 55' and to approve an undersize lot.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

TO Be discussed at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Shirley Kowalewski
Contract Purchaser/Lessee:

RICHARD KOWALEWSKI
(Type or Print Name)

Richard J. Kowalewski
Signature

430 E IRIND ST
Address

BALTO. CO MD 21224
City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Kenneth WOZNIAC
(Type or Print Name)

Kenneth Wozniak
Signature

DONNA WOZNIAC
(Type or Print Name)

Donna Wozniak
Signature

2807 1ST. ST.
Address Phone No

BALTO. CO MD. 21219
City State Zipcode

Name, Address and phone number of representative to be contacted.

RYAN ADAMS
Name

9129 Cuckold Point Rd 388-0640
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JRF DATE 12-13-90

256

ORDER RECEIVED FOR FILING

Date

By



Printed with Soybean Ink
on Recycled Paper

Zoning Administration

MICROFILMED

EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2805 1ST STREET
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)

FIRST ST. which is 20'
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 110' EAST of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Cuckold Point Rd
(name of street)

which is 20' wide. *Being Lot # 547
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of SWAN POINT
(name of subdivision)

as recorded in Baltimore County Plat Book # 9; Folio # 4

containing 6900 S.F. Also known as 2805 1ST STREET.
(square feet or acres) (property address)

and located in the 15 Election District, 5 Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

256

MICROFILME'

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will

hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Westinghouse Avenue, Towson, Maryland 21204 as follows:

Case #97-256-A
(Item 256)

2805 First Street
NS First Street, 110' E of C/
Cockold Point Road
15th Election District
5th Councilmanic

Legal Owner(s):
Kenneth Wozniak and Donna Wozniak

Contract Purchaser(s):
Richard and Shirley Kowalewski

Variance: to allow a lot width of 50 feet in lieu of the minimum required 55 feet and to approve an undersized lot.
Hearing: Thursday, January 16, 1997 at 9:30 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHIMMOT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

12/26/97 Dec. 26 C108712

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/26, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/26, 1996.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 029927

DATE 12-13-96 ACCOUNT P-001-615-000

AMOUNT \$ 50.00

RECEIVED FROM: RYAN ADAMS

Q10 VARIANCE & ITEM #256

UNDERSIZED LOT TAKEN BY: MCF

FOR: 97-256-A

03A9180070MICHRC 150.00
8A COLD 12AM 12-13-96

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
V CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 256

Petitioner: WOZNIAK

Location: 2805 1st ST.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RYAN ADAMS

ADDRESS: 9129 CUCKOLD RD. , 21219

PHONE NUMBER: 338-0646

AJ:ggs

MICROFILMED

(Revised 09/24/96)



ITEM # 256

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-256-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: TO ALLOW A LOT WIDTH OF 50'
IN LIEU OF THE MINIMUM REQUIRED 55'
AND TO APPROVE AN UNDERSIZE LOT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 97-256-A

Petitioner/Developer: _____

KENNETH WOYNIAK

Date of Hearing/Closing: 1-16-97

**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204**

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2805 FIRST STREET

BALTIMORE, MD. 21219

The sign(s) were posted on 12-27-96
(Month, Day, Year)

Sincerely,

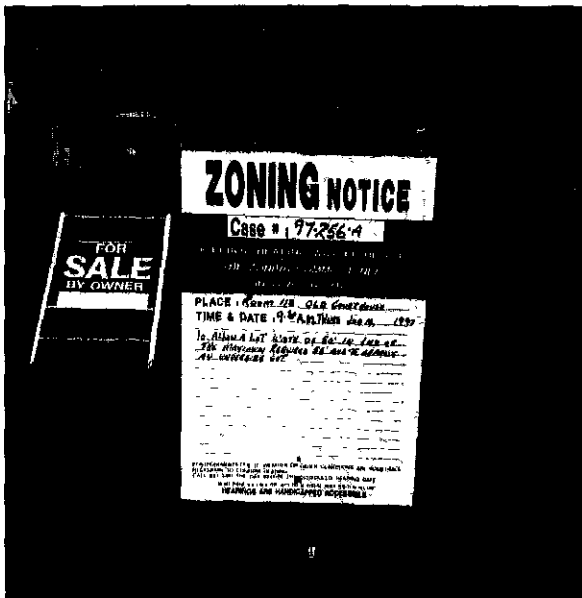
Thomas P. Doyle 12/27/96
(Signature of Sign Poster and Date)

Thomas P. Ogle Sr.
(Printed Name)

325 Nicholson Road
(Address)

BALTIMORE, MD. 21221
(City, State, Zip Code)

(410) 687-8425
(Telephone Number)



TO: PUTUXENT PUBLISHING COMPANY
December 26, 1996 Issue - Jeffersonian

Please forward billing to:

Ryan Adams
9129 Cuckold Point Road
Baltimore, MD 21219
388-0646

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-256-A (Item 256)
2805 First Street
N/S First Street, 110' E of c/l Cuckold Point Road
15th Election District - 5th Councilmanic
Legal Owner(s): Kenneth Wozniak and Donna Wozniak
Contract Purchaser(s): Richard and Shirley Kowalewski

Variance to allow a lot width of 50 feet in lieu of the minimum required 55 feet and to approve an undersized lot.

HEARING: THURSDAY, JANUARY 16, 1997 at 9:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-256-A (Item 256)
2805 First Street
N/S First Street, 110' E of c/l Cuckold Point Road
15th Election District - 5th Councilmanic
Legal Owner(s): Kenneth Wozniak and Donna Wozniak
Contract Purchaser(s): Richard and Shirley Kowalewski

Variance to allow a lot width of 50 feet in lieu of the minimum required 55 feet and to approve an undersized lot.

HEARING: THURSDAY, JANUARY 16, 1997 at 9:30 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Kenneth and Donna Wozniak
Richard and Shirley Kowalewski
Ryan Adams

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 1, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 8, 1997

Mr. and Mrs. Kenneth Wozniak
2807 1st Street
Baltimore, MD 21219

RE: Item No.: 256
Case No.: 97-256-A
Petitioner: Kenneth Wozniak, et ux

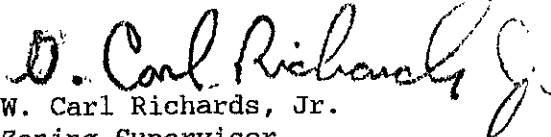
Dear Mr. and Mrs. Wozniak:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 13, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
December 30, 1996

FROM: R. Bruce Seeley *RBS/gp*
DEPRM

SUBJECT: Zoning Item #256 - Swan Point
2805 First Street
Zoning Advisory Committee Meeting of December 23, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RBS:KK:sp

SWANPOIN/DEPRM/TXTSBP

MISSOURI



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12-20-95
Item No. 256 (JRF)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

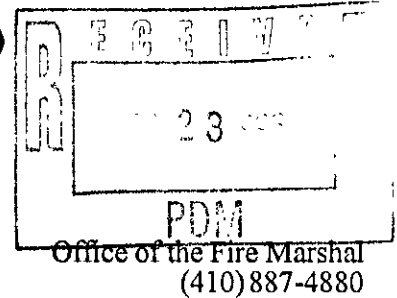
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



DATE: 12/19/96

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 245, 246, 247, 248,
249, 250, 252, 253, 254 AND 256.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: December 19, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 238, 244, 245, 247, 248, 249, 250, 252, 253, 255, and 256

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

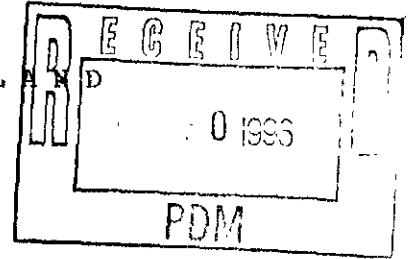
Gary L. Kerns

PK/JL

John Alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: December 26, 1996

RWB
FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for December 30, 1996
Item Nos. 246, 247, 248, 250,
252, 253, 254, 256

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE43

(MICROFILM)

PETITION PROBLEMS

#244 --- JRF

1. Sign form was not completed by planner - it was typed by attorney.

#248 --- MJK

1. No telephone number for legal owner.
2. Where is undersized lot package for OPCC?

#250 --- JCM

1. Back of petition form only signed by one legal owner.
2. Folder says property is 0.997 +/- square feet????

#254 --- JRA

1. Need *original* signature of legal owner on at least one copy of petition form.

#256 --- JRF

1. No telephone number for legal owner.
2. No telephone number for contact person.

RE: PETITION FOR VARIANCE
2805 First Street, N/S First Street,
110' E of c/l Cuckold Point Road
15th Election District, 5th Councilmanic

Legal Owners: Kenneth & Donna Wozniak
Contract Purchasers: R. & S. Kowalewski
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-256-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 1997, a copy of the foregoing Entry of Appearance was mailed to Ryan Adams, 9129 Cuckold Point Road, Baltimore, MD 21219, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

B 289229
Permit Number

w/256

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ **RYAN ADAMS** 9129 Cuckold Pt Rd (410) 388-0640
Print Name of Applicant Address Telephone Number

☒ Lot Address 2805 FIRST ST Election District 15 Council District 2+5 Square Feet 6900

Lot Location: N E S W side / corner of 1st & Cuckold Pt . 150 feet from N E S W corner of HINTON AVE 1ST ST.
(street) (street)

Land Owner Richard & Sheryl Kawalecki (Ken was w/aid) Tax Account Number 19-00-012200

Address 430 ELRINO ST BALTO. MD 21224 Telephone Number 410 633-0794

☐ **CHECKLIST OF MATERIALS:** (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Property (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Topo Map (available in Rm 206 C.O.B.) (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(please label site clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Photographs (please label all photos clearly)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoining Buildings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surrounding Neighborhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by ZADM

Date _____

RECEIVED

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATIONS/COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Ervin McDaniel
for the Director, Office of Planning & Zoning

Date: 1/2/97

MICROFILMED

BALTIMORE COUNTY
Zoning Administration and Development Management
Baltimore County Flood Plain Management Ordinance

CERTIFICATE OF ACKNOWLEDGEMENT

OWNER/BUILDER : RYAN ADAMS DATE : 10/12/96
BUILDING PERMIT NO. : B289229
LOCATION : LOT # 547 (SWAN POINT) 2805 FIRST ST

I HEREBY ACKNOWLEDGE THAT I HAVE BEEN NOTIFIED BY THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS THAT MY PROPERTY HAS BEEN DETERMINED TO BE IN FLOOD ZONE A IN ACCORDANCE WITH THE "FLOOD INSURANCE RATE MAPS" FOR BALTIMORE COUNTY. AS SUCH, THE LOWEST FLOOR ELEVATION OF THE PROPOSED STRUCTURE OR SUBSTANTIAL IMPROVEMENT, WHICHEVER IS APPROPRIATE, SHALL BE ONE FOOT ABOVE THE "100 YEAR" BASE FLOOD ELEVATION OF 10.2.

I ACKNOWLEDGE THAT I WILL BE REQUIRED TO HAVE THE ELEVATION OF THE LOWEST FLOOR OF THE STRUCTURE AND THE ADJACENT GROUND CERTIFIED BY A REGISTERED PROFESSIONAL ENGINEER, SURVEYOR OR ARCHITECT. ALL ELEVATIONS SHALL REFER TO THE BALTIMORE COUNTY METROPOLITAN DATUM.

TOPO. MAP : SE 6-K
EX. GRD. ELEV. : 3.4

OWNER AGREES TO SET THE FOLLOWINGS :

FIRST FLOOR ELEVATION = 11.2

BASEMENT FLOOR ELEVATION = N/A

[Signature] 10/12/96
OWNER/BUILDER DATE

NOTE . PRIOR TO RELEASING THE ABOVE NOTED BUILDING PERMIT APPLICATION, THIS ACKNOWLEDGEMENT IS TO BE SIGNED AND RETURNED TO :

ZONING ADMINISTRATION & DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM # 109
111 WEST CHESAPEAKE AVENUE, TOWSON, MD. 21204
TO/ATTN. : MR. R. TANGUILIG

AN ELEVATION CERTIFICATE TO BE COMPLETED BY A REGISTERED PROFESSIONAL ENGINEER, LAND SURVEYOR OR ARCHITECT WILL BE MAILED TO THE OWNER LISTED ON THE PERMIT APPLICATION WHEN THE PERMIT IS ISSUED.

504.0000.000000

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

April 12, 1996

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM:

Robert A. Wirth
DEPRM

SUBJECT: Zoning Item #366 - Piorunski Property

8206 Bear Creek Drive
Zoning Advisory Committee Meeting of April 8, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

RAW:SA:sp

c: James B. and Pamela L. Piorunski

PIORUNSK/DEPRM/TXTSBP

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESILIENCE ZONES

WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED
Reference - Section 303.1 Baltimore County Zoning Regulations

303.1 --In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A	NA	FI.
B	30	FI.
C	20	FI.
D	0	FI.
E	NA	FI.
F	NA	FI.

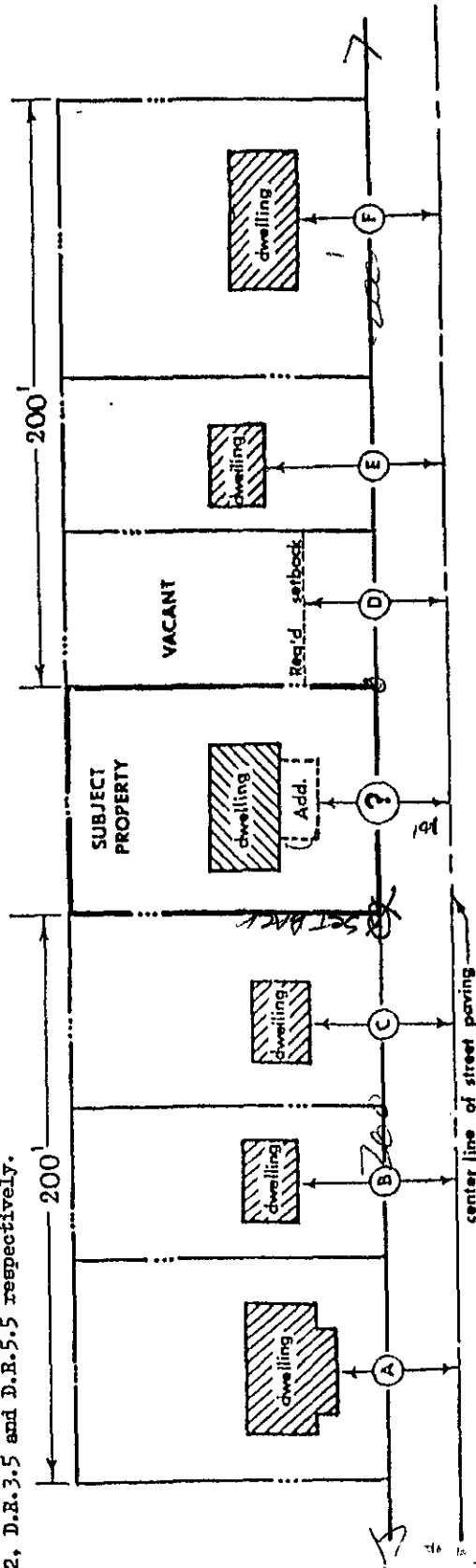
$$\text{TOTAL } (50) \div (2) = 25$$

of dwellings

REQUIRED FRONT SETBACK (averaged)

NORMAL REQUIRED SETBACKS
D.R.2 - 65 ft.
D.R.3.5- 55 ft.
D.R.5.5- 50 ft.

Applicant's name Ryan Adams
Building address 2805 FIRST ST (LOT 547)
date 11/25/96



#250

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Ryan Adams

Richard Kowalewski

9129 Cuckold Pt Rd Baito Co 21219

430 Elmira St Baito Md 21224



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

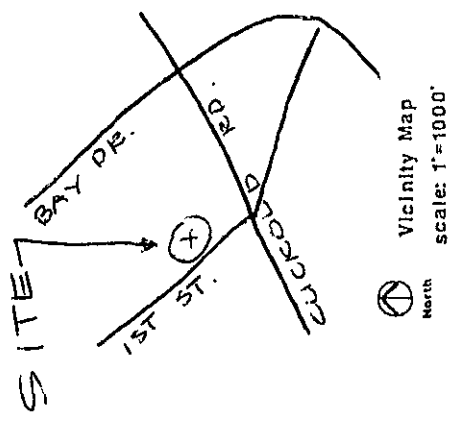
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 2805 1st ST.

Subdivision name: SWAN POINT

plat book# 2, folio# 4, lot# 547, section# 1

OWNER: WOZNIAK, Kenneth & Donna



LOCATION INFORMATION

Election District: 15TH

Councilmanic District: 5

1"-200' scale map#: SE 6-K

Zoning: DR 5-5

Lot size: 0.158 AC. 6,900 sq

acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ yes ☐ no

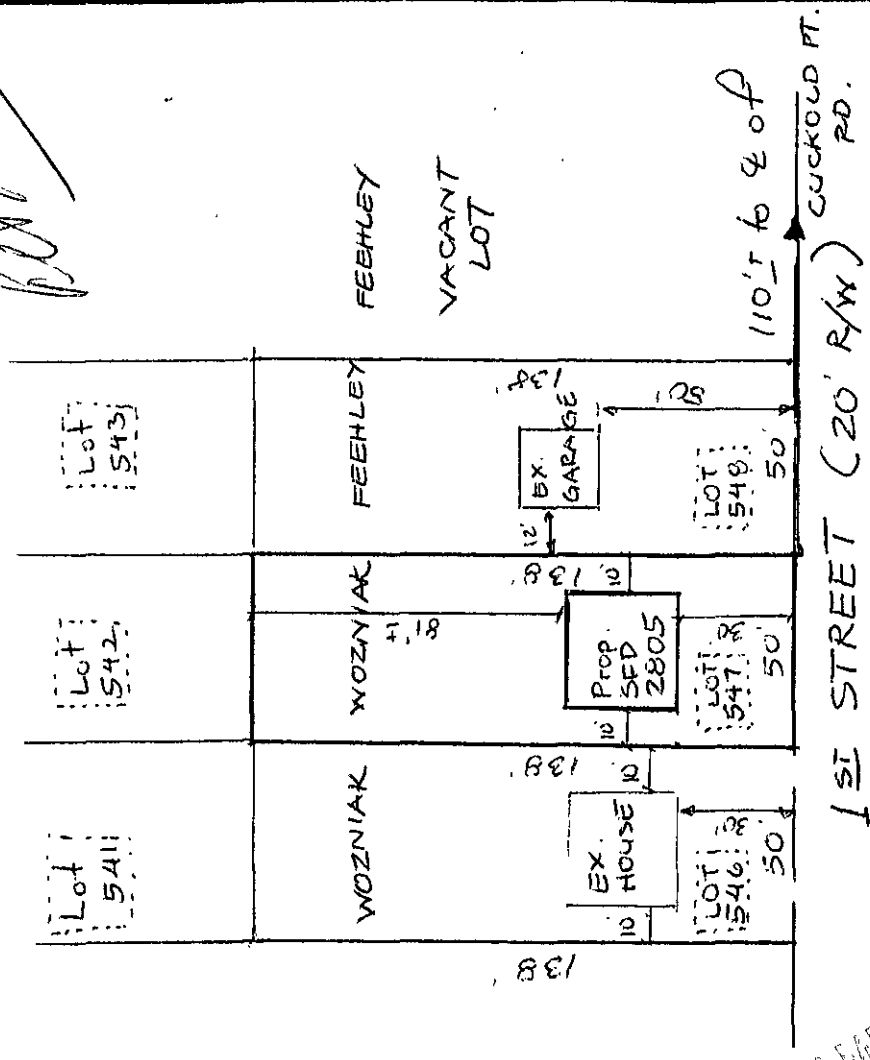
Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: JRF ITEM #: 256 CASE#:

Red No 1



North

date: 11-27-96

prepared by: RA

Scale of Drawing: 1"= 50'

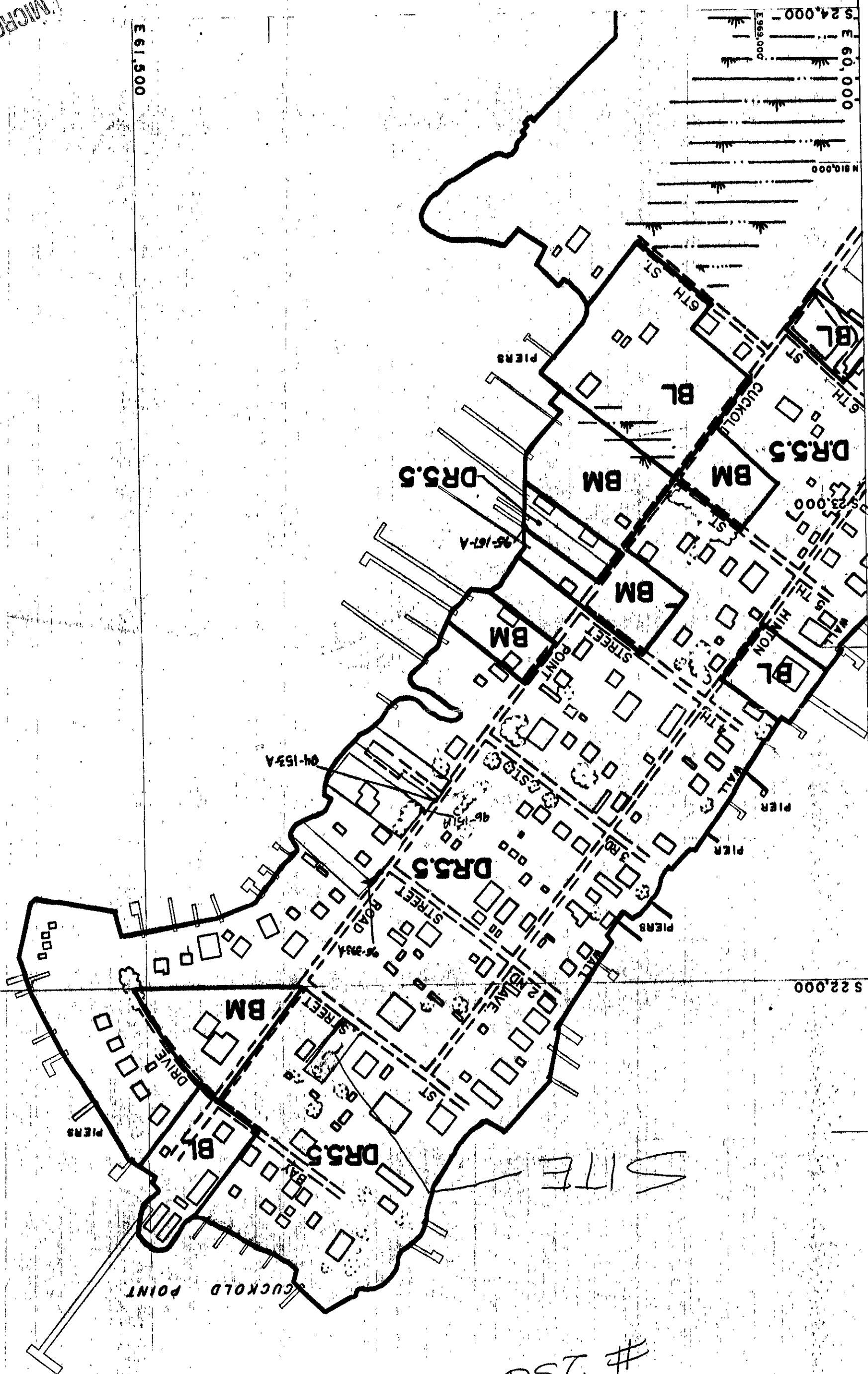
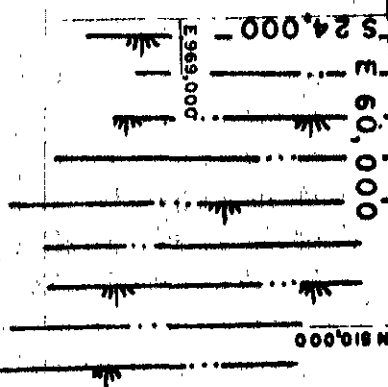






MICROFILMED

A-NE, AA-NW

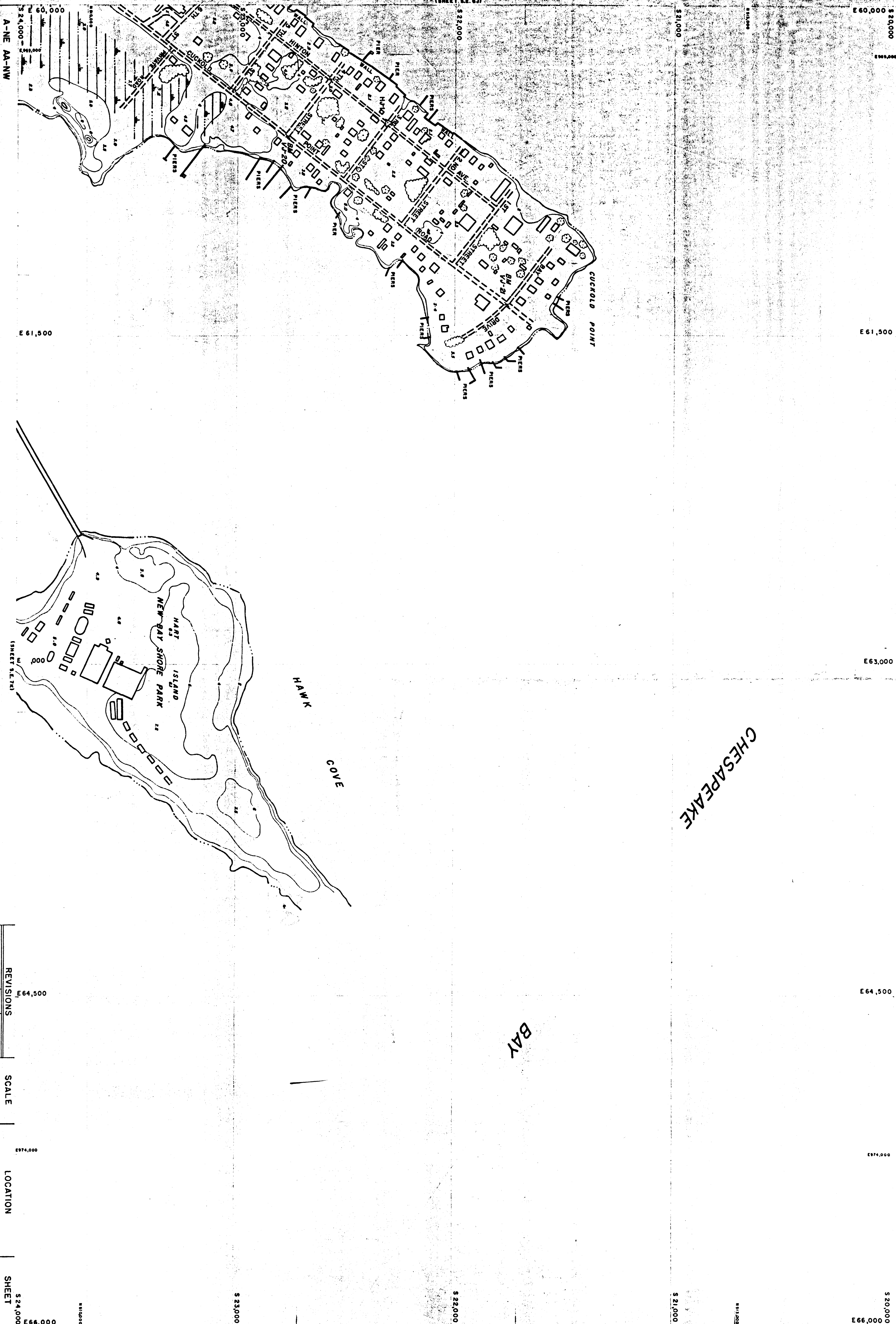


(SHEET S.E. 6J)

SE OK

\$21,000

CHESAPEAKE



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
RECEIVED

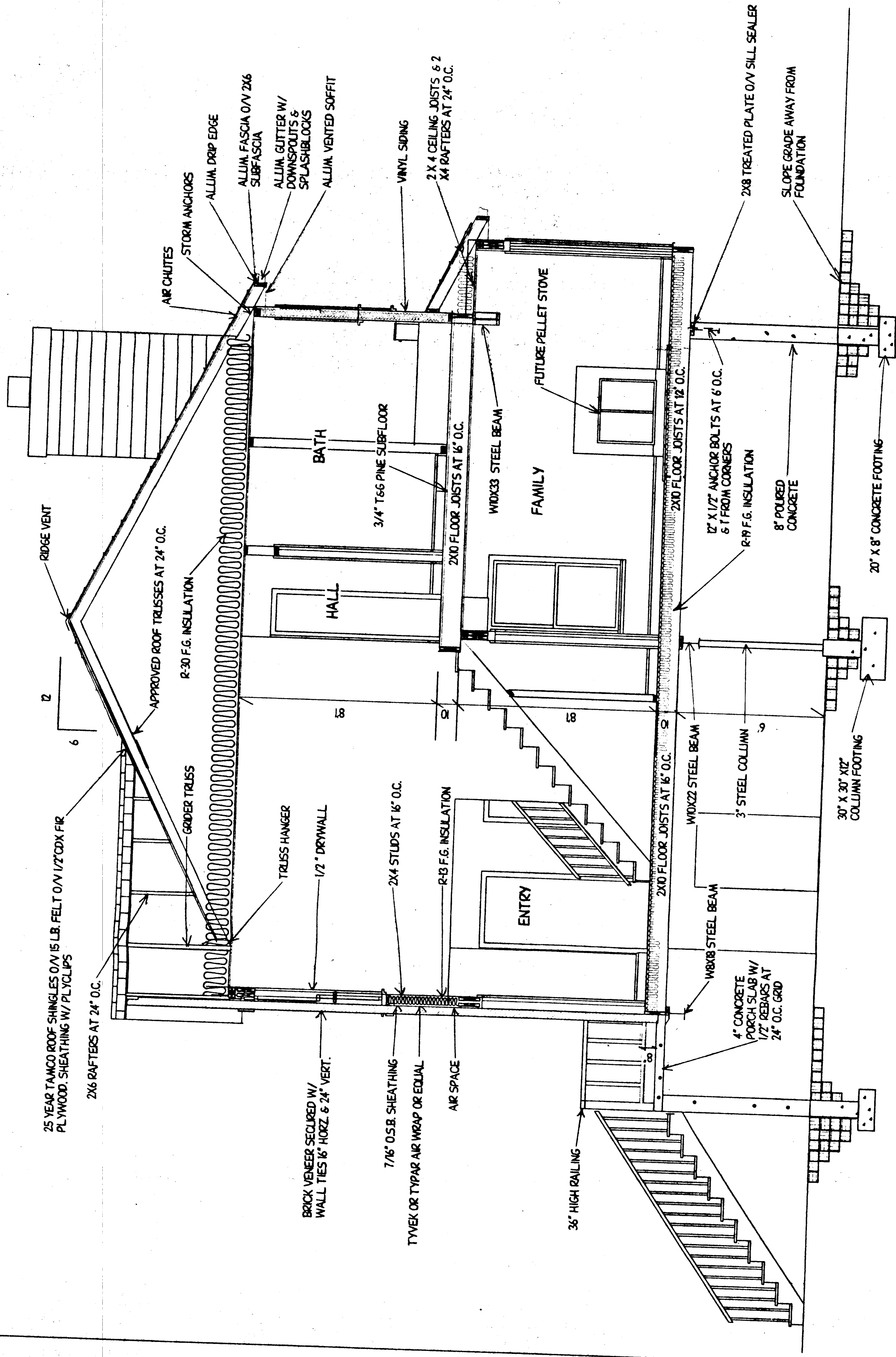
DEC 1965
OFFICE OF
PLANNING

REVISIONS			SCALE
BY	DATE		
			1" = 200'
			DATE OF PHOTOGRAPHY
			DEC. 1954

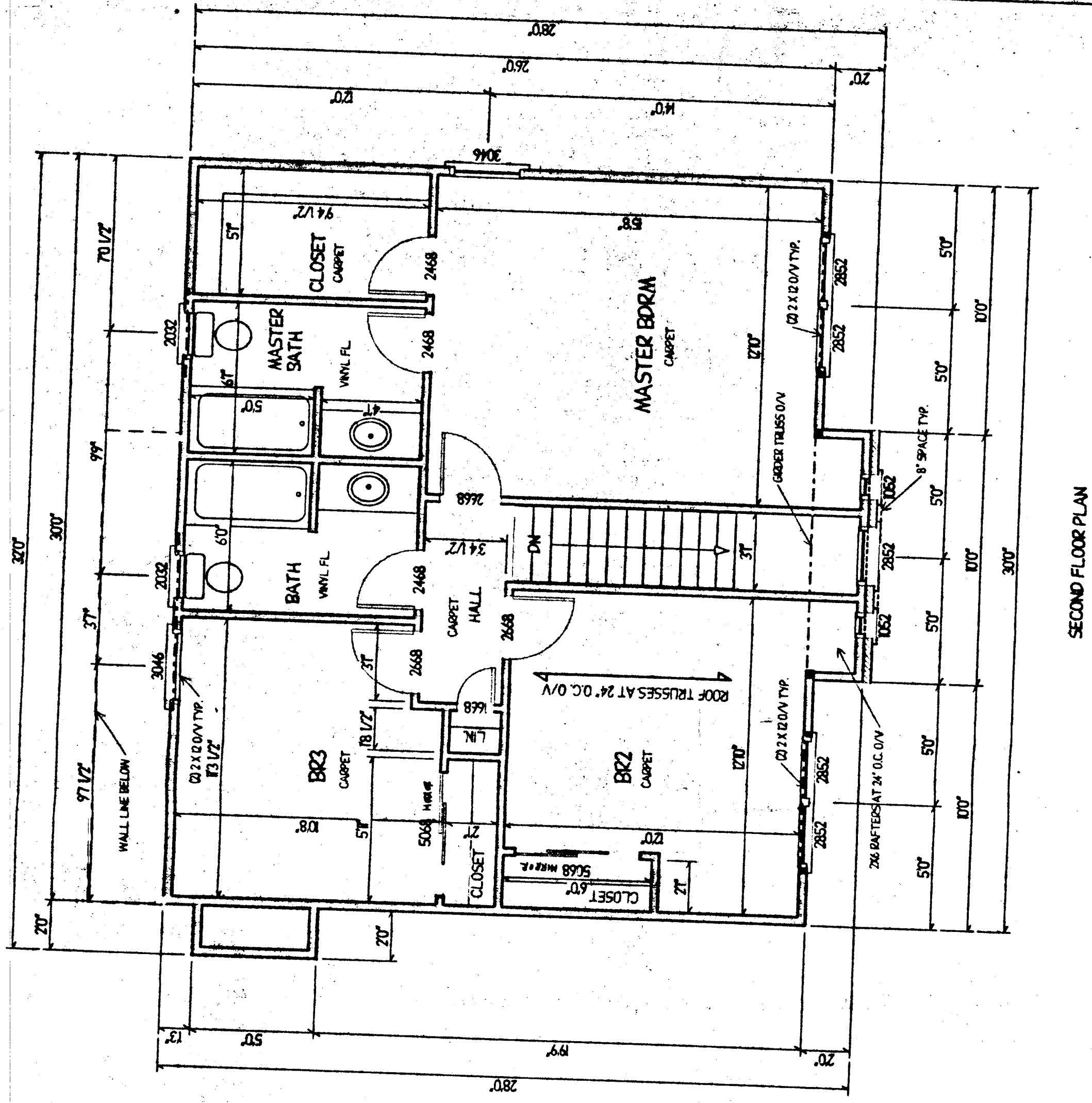
LOCATION
CUCKOLD POINT
NEW BAY SHORE PARK

SHEET
S.E.
6-K

MICROFILMED

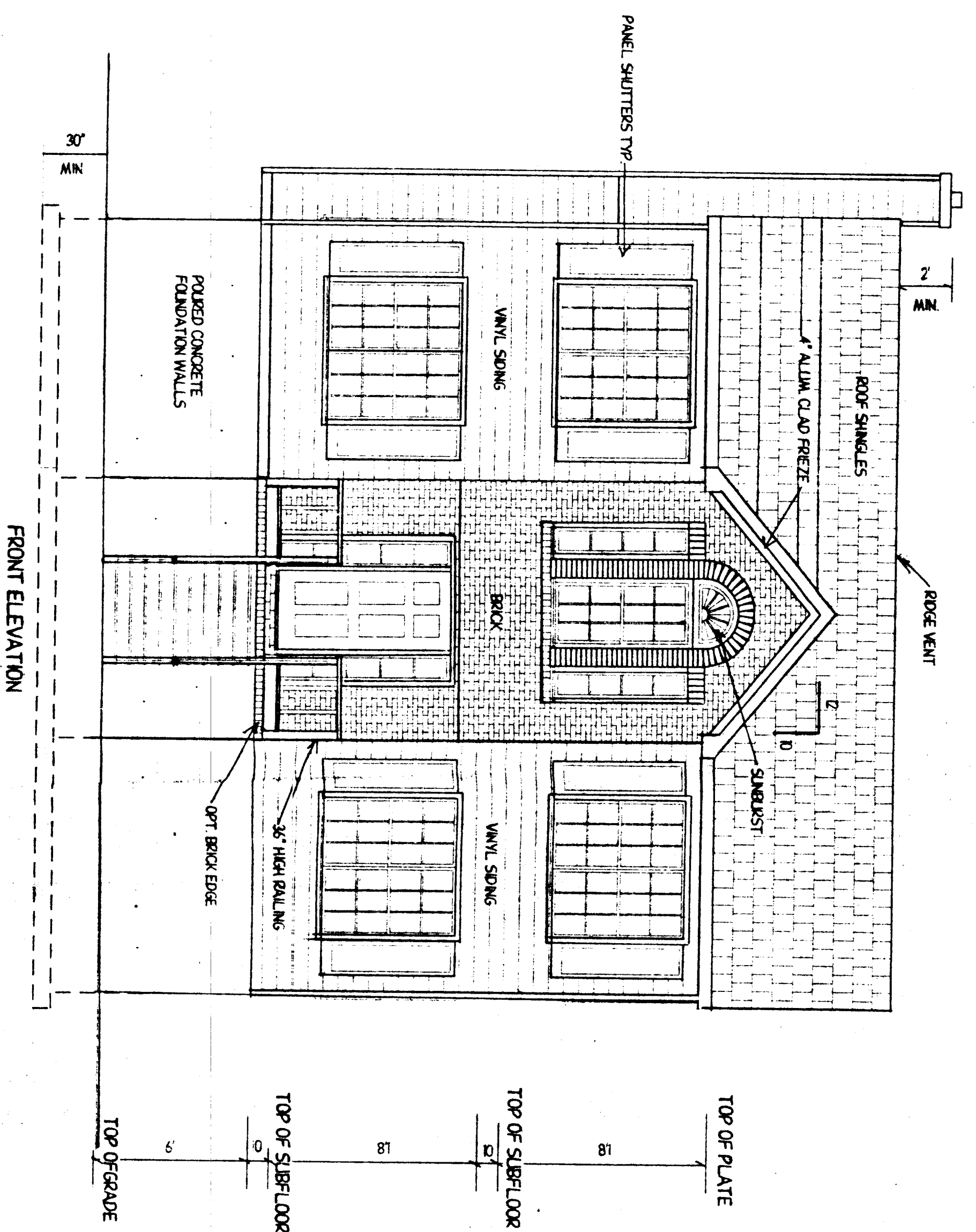
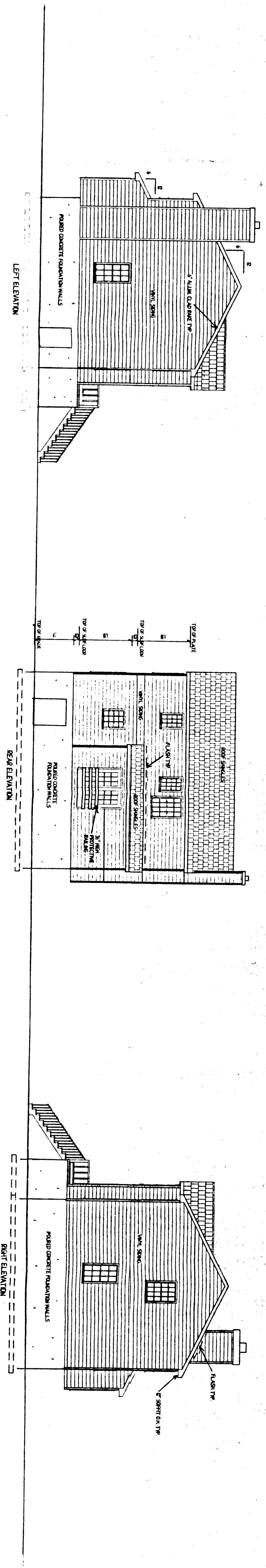


TYPICAL SECTION A SCALE: 3/8" = 1'-0"



SECOND FLOOR PLAN

KOWALEWSKI RESIDENCE			
SCALE 1/4" = 1'-0"	DATE 01-1-16	DRAWN BY	DGP
SECOND FLOOR PLAN & TYPICAL SECTION			SHEET 2 OF 3
			25-16



KOWALEWSKI RESIDENCE			
SCALE 1/4" = 1'-0"		DRAWN BY	
DATE 10-9-96		DRP	
ELEVATIONS			
SHEET 3 OF 3			ZS/96